

Notice of Exemption**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

From:

California Department of Fish and Wildlife
 Central Region
 1234 East Shaw Avenue
 Fresno, CA 93710

**Street Address:**

1400 Tenth Street
 Sacramento, CA 95814

State Clearinghouse Number: 2021090363

Project Title: Minor Amendment No. 2 to California Endangered Species Act (CESA) Incidental Take Permit (ITP) No. 2081-2021-058-04 for the Airline Highway CCL00284 Urgent Telecommunications Project in San Benito County (Project)

Project Location: The Project is located on a private residential property at 32005 Airline Highway in the town of Paicines in San Benito County, approximately 28 miles south of the City of Hollister and approximately 1.3 miles east-southeast of the intersection of State Route (SR) 25 and SR 146. The Project is bounded by Airline Highway and Pinnacles National Park to the southwest, surrounded by undeveloped land. The Project is specifically within the United States Geological Survey 7.5-Minute San Benito Quadrangle Map in Township 16 South, Range 8 East, Sections 20, 21, 28, and 29, Mount Diablo Base and Meridian on Assessor's Parcel Numbers 028-130-026-000 and 028-150-024-000, at approximately Latitude 36° 31' 7.33" N, Longitude 121° 6' 49.32" W.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued a CESA (Fish & G. Code, § 2050 et seq.) ITP, Major Amendment No. 1, and this Minor Amendment No. 2 to authorize AT&T Inc. to incidentally take California tiger salamander (*Ambystoma californiense*) which is listed as threatened under CESA (Fish & G. Code § 2050 et seq.; see Cal. Code Regs., tit. 14, § 670.5, subd. (b)(3)(G)).

The Project includes activities necessary to address the absence of Band-14 coverage in and around Pinnacles National Park, including E911 (emergency services) coverage, which is urgently required for health and human safety. Major Amendment No. 2 makes a single change to the ITP: extends the expiration date from September 30, 2022, to September 30, 2023.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: AT&T Inc., Michael Guibord, 5001 Executive Parkway, San Ramon, California 94583

Exempt Status:

- Statutory Exemption. California Code of Regulations, Title 14, section 15269, subdivision (c); Public Resources Code, section 21080, subdivision (b)(4)
 Categorical Exemption.

Reasons why project is exempt: See Attachment**CDFW Contact Person:** Renée Robison (Sr. Environmental Scientist, Specialist), 559-580-3201

DocuSigned by:

 Signature: _____
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Date: 11/22/2022

Julie A. Vance
 Regional Manager, Central Region

Date received for filing at OPR: _____

Attachment to Notice of Exemption

**California Endangered Species Act Incidental Take Permit No. 2081-2021-058-04
Major Amendment No. 2
Airline Highway CCL00284 Urgent Telecommunications Project**

Approval of this Project is subject to the statutory exemption for “Specific actions necessary to prevent or mitigate an emergency” (Emergency Project; Pub. Resources Code, §21080, subd. (b)(4)) under the California Environmental Quality Act (CEQA; Pub. Resources Code, §21000 et seq.). “Emergency” is defined as “A sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services” (Pub. Resources Code, § 21060.3).

The Project, as amended, is necessary to address the absence of Band-14 coverage in and around Pinnacles National Park, a remote area in San Benito County. The Office of Emergency Services has identified the Project Area as one of the 13 most important new sites in northern California. The Project Area has been identified as the only possible site with the coverage capability around the Pinnacles area, including E911 (emergency services) coverage. The Project constitutes an emergency measure which is required for immediate health and human safety.

On September 16, 2022, the Permittee submitted a request to Amend the ITP to extend the ITP’s expiration date from September 30, 2022, to September 30, 2023 in order to complete the Project.

CDFW has determined that this Amendment will not: (1) significantly increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, (2) affect Permittee’s substantive mitigation obligations under the ITP, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species.